

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BERNARD WEITZMAN,

**ORDER**

Plaintiff,

**13-CV-4630 (NGG) (LB)**

-against-

MONTEFIORE MEDICAL CENTER,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

Pro se Plaintiff Bernard Weitzman brought this action against Defendant on August 16, 2013. (Compl. (Dkt. 1).) Pretrial matters proceeded before Magistrate Judge Lois Bloom.

Judge Bloom gave notice to Plaintiff that, pursuant to Federal Rule of Civil Procedure 4(m), service on Defendant had to be effected by December 16, 2013, or the action would be dismissed. (Order (Dkt. 4).) Plaintiff has failed to file proof of service or show good cause why service was not timely effected by that date.

On December 31, 2013, Judge Bloom issued a Report and Recommendation (“R&R”), recommending that the court dismiss Plaintiff’s action without prejudice pursuant to Federal Rule of Civil Procedure 4(m). (R&R (Dkt. 5).)

No party has objected to Judge Bloom’s R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Therefore, the court reviews the R&R for clear error. See Gesualdi v. Mack Excavation & Trailer Serv., Inc., No. 09-CV-2502 (KAM), 2010 WL 985294, at \*1 (E.D.N.Y. Mar. 15, 2010); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000); cf. 28 U.S.C. § 636(b)(1). Finding no clear error, the court adopts the R&R in full. See Porter v. Potter, 219 F. App’x 112 (2d Cir. 2007).

Accordingly, the court ADOPTS IN FULL the R&R and DISMISSES Plaintiff's action without prejudice.

SO ORDERED.

Nicholas G. Garaufis

Dated: Brooklyn, New York  
January 23, 2014

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NICHOLAS G. GARAUFIS  
United States District Judge